

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA

vs.

HOLLY ANN ELKINS

DETENTION ORDER

Holly Ann Elkins (Defendant) is charged by indictment with conspiracy to stalk in violation of 18 U.S.C. § 371; stalking using a dangerous weapon and resulting in serious bodily injury, life threatening bodily injury, and death in violation of 18 U.S.C. §§ 2261A(2)(A) and (B) and 2261(b); and using, carrying, brandishing, and discharging a firearm during an in relation to a crime of violence in violation of 18 U.S.C. § 924(c)(1)(A)(iii). She was arrested in the Southern District of Florida and made her initial appearance in this district on July 28, 2023. The Government moved to detain Defendant and she elected to proceed with a hearing on that date.

After considering the testimony as well as the pretrial services report and the factors listed in 18 U.S.C. § 3142(g), this Court finds that the Government has met its burden to establish by a preponderance of the evidence that there is no condition or combination of conditions of release which could be set that would reasonably assure Defendant's appearance at future court hearings.

See United States v. Fortna, 769 F.2d 243, 250 (5th Cir. 1985) (holding that applicable standard is simple preponderance). Defendant is accused of conspiring with her fiancé to use harassing and coercive tactics to remove his child from her mother’s custody. In June 2022, Defendant’s fiancé pleaded guilty to murdering the mother of his child in October 2020. He subsequently implicated Defendant, although law enforcement previously suspected her involvement, and some of his allegations have been independently corroborated. Defendant purchased a home in the Dominican

Republic in late 2022, and she has traveled there 12 times within the last year. She also has a condominium in Michigan. She reported significant assets, although she is unemployed.

Given the nature and circumstances of the offense; the weight of the evidence against Defendant; the characteristics of Defendant; and the nature and seriousness of the danger to any person or the community posed by Defendant's release, the Court concludes that there is no condition or combination of conditions of release which could be set which would reasonably assure Defendant's appearance at future court hearings. Accordingly, the Government's motion for detention is GRANTED.

It is therefore ORDERED that Defendant be, and she is hereby, committed to the custody of the Attorney General and United States Marshal for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal, and that Defendant, while being so held, be afforded reasonable opportunity for private consultation with his counsel.

It is further ORDERED that on an Order of a Court of the United States or at the request of the attorney for the Government, the person in charge of the corrections facility in which Defendant is confined shall deliver Defendant to a United States Marshal for the purpose of an appearance in connection with court proceedings in the Northern District of Texas.

Signed this 31st day of July, 2023.


IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE